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11 **UNITED STATES DISTRICT COURT**  
 12 **CENTRAL DISTRICT OF CALIFORNIA**

13 CHINA CENTRAL TELEVISION, a China  
 company; CHINA INTERNATIONAL  
 14 COMMUNICATIONS CO., LTD., a China  
 company; TVB HOLDINGS (USA), INC., a  
 15 California corporation; and DISH  
 NETWORK L.L.C., a Colorado corporation,  
 16 Plaintiffs,

vs.

17 CREATE NEW TECHNOLOGY (HK)  
 LIMITED, a Hong Kong company; HUA  
 18 YANG INTERNATIONAL TECHNOLOGY  
 LIMITED, a Hong Kong company;  
 19 SHENZHEN GREATVISION NETWORK  
 TECHNOLOGY CO. LTD., a China  
 20 company; CLUB TVPAD, INC., a California  
 corporation; BENNETT WONG, an  
 21 individual, ASHA MEDIA GROUP INC.  
 d/b/a TVPAD.COM, a Florida corporation;  
 22 AMIT BHALLA, an individual;  
 NEWTVPAD LTD. COMPANY d/b/a  
 23 NEWTVPAD.COM a/k/a TVPAD USA, a  
 Texas corporation; LIANGZHONG ZHOU,  
 24 an individual; HONGHUI CHEN d/b/a E-  
 DIGITAL, an individual; JOHN DOE 1 d/b/a  
 25 BETV; JOHN DOE 2 d/b/a YUE HAI; JOHN  
 DOE 3 d/b/a 516; JOHN DOE 4 d/b/a HITV;  
 26 JOHN DOE 5 d/b/a GANG YUE; JOHN  
 DOE 6 d/b/a SPORT ONLINE; JOHN DOE 7  
 27 d/b/a GANG TAI WU XIA; and JOHN DOES  
 8-10,

Defendants.

) Case No.  
 ) **CV 15-1869 MMM (AJWx)**

) **PLAINTIFFS' RENEWED**  
 ) **APPLICATION FOR ORDER**  
 ) **FOR UNDER SEAL FILING**  
 ) **OF EXHIBITS IN SUPPORT**  
 ) **OF PLAINTIFFS' MOTION**  
 ) **FOR DEFAULT JUDGMENT;**  
 ) **MEMORANDUM OF POINTS**  
 ) **AND AUTHORITIES;**  
 ) **DECLARATION OF CARLA**  
 ) **A. McCAULEY**

) [[Proposed] Order; Under Seal and  
 ) Redacted Versions of Exhibits 14,  
 ) 15, 17, 19, 20, 24, 25, 27, 28, 21,  
 ) 34 and 36 concurrently submitted]

) Date: November 23, 2015

) Time: 10:00 a.m.

) Courtroom: 780

) Judge: Hon. Margaret M.  
 ) Morrow

) Complaint Filed: March 13, 2015

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE THAT** in accordance with the Court's Order dated November 20, 2015, Plaintiffs China Central Television, China International Communications Co., Ltd., TVB Holdings (USA), Inc., and DISH Network L.L.C. (collectively "Plaintiffs") resubmit their Application to File Documents Under Seal ("Application") filed in support of Plaintiffs' Motion for Default Judgment, which motion was originally set for hearing on November 23, 2015 before the Honorable Margaret M. Morrow, located at Courtroom 780, 255 East Temple Street Los Angeles, California, and submitted without oral argument by Order dated November 17, 2015. Plaintiffs will and hereby do apply to this Court pursuant to Local Rule 5.2-1 and 79-5.1 and Federal Rule of Civil Procedure 5.2(a)(4) for an Order Sealing Exhibits 14, 15, 17, 19, 20, 24, 25, 27, 28, 31, 34 and 36, all of which have been filed in redacted format concurrently with the instant Application in support of Plaintiffs' Motion for Default Judgment Against Defendants Create New Technology (HK) Limited and Hua Yang International Technology Limited ("Motion for Default Judgment").

The exhibits Plaintiffs request be filed under seal are documents produced by third-party subpoena recipients in this action, and summaries of those documents, which contain bank account numbers and home addresses subject to confidential treatment in accordance with Local Rule 5.2-1 and Federal Rule of Civil Procedure 5.2(a)(4). All exhibits are being filed both in redacted form in accordance with Local Rule in the public record, while unredacted versions of those exhibits are being lodged for under seal filing, pending approval of the Court. Good cause therefore

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1 exists to file these documents under seal in accordance with Local Rule 79-5 and  
2 *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006).

3 DATED: November 25, 2015

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7 By: /s/Carla A. McCauley

Carla A. McCauley

8 Attorneys for Plaintiffs  
9 CHINA CENTRAL TELEVISION; CHINA  
10 INTERNATIONAL COMMUNICATIONS  
11 CO., LTD.; TVB HOLDINGS (USA), INC.;  
12 AND DISH NETWORK L.L.C.  
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## I. ARGUMENT

### A. The Court Has Broad Latitude to Order Under Seal Filing Where Good Cause Is Shown.

Courts have “broad latitude to grant protective orders to prevent disclosure of materials for many types of information, including, *but not limited to*, trade secrets or other confidential research, development, or commercial information.” *Phillips v. General Motors Corp.*, 307 F.3d 1206, 1211 (9th Cir. 2002) (citing Fed. R. Civ. P. 26(c)(7)). The Court is accorded “broad discretion...to decide when a protective order is appropriate and what degree of protection is required.” *Seattle Times Co. v. Rhinehart*, 467 U.S. 20, 36 (1984).

The Federal Rules of Civil Procedure 5.2(a) and Local Rule 5.2-1 require that a party filing documents with the Court to first ensure that private financial-account information is properly redacted from filed documents. Similarly, according to Local Rule 5.2-1, a party likewise “shall ensure that any document that contains a home address shall include only the city and state” if filed in the public record. The only exemptions to these requirements are under seal filings.

### B. Good Cause Exists to File Records and Summaries with Bank Accounts and Home Addresses Under Seal.

In order to support their request for default judgment and an award of copyright infringement statutory damages and trademark infringement damages, Plaintiffs subpoenaed a number of third parties, including DHL Express, UPS, and HSBC bank. All three parties produced voluminous records in response to Plaintiffs’ subpoenas, all of which contain confidential third party information requiring redaction if filed in public court records by Rule. Declaration of Carla A. McCauley (“McCauley Decl.”) ¶¶3, 5.

In the case of DHL and UPS, the produced records contain possible home street addresses for shipment recipients that require redaction. Redacted summaries

1 of these records are concurrently filed in the public record, with unredacted versions  
 2 separately submitted to the Court for under seal filing. McCauley Decl. ¶4.

3 In the case of HSBC, the produced records contain numerous bank account  
 4 numbers and address information that may include home addresses requiring  
 5 redaction. Redacted versions of the HSBC records, with possible home street  
 6 addresses and bank account numbers redacted, are being separately filed in the public  
 7 record, with an under seal version without the redactions separately lodged with the  
 8 Court for under seal filing. McCauley Decl. ¶6.

9 Good cause exists to file these exhibits under seal. Versions of the exhibits  
 10 with confidential information redacted have been filed in the public record.  
 11 However, the original records with unredacted address and account numbers are  
 12 lodged with the Court and should be filed under seal consistent with Local Rule 5.2-  
 13 1.

14 DATED: November 25, 2015 DAVIS WRIGHT TREMAINE LLP

15  
 16 By: /s/Carla A. McCauley  
 17 Carla A. McCauley

18 Attorneys for Plaintiffs  
 19 CHINA CENTRAL TELEVISION; CHINA  
 20 INTERNATIONAL COMMUNICATIONS  
 21 CO., LTD.; TVB HOLDINGS (USA), INC.;  
 22 AND DISH NETWORK L.L.C.  
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**DECLARATION OF CARLA A. MCCAULEY**

I, Carla A. McCauley, declare as follows:

1. I am licensed to practice law before all the courts in the State of California and am admitted to the United States Court of Appeals for the Ninth Circuit and the Central District of California. I am a partner at Davis Wright Tremaine LLP, counsel for Plaintiffs in the above-entitled matter. I submit this Declaration in support of Plaintiffs' Application to Seal Exhibits ("Application") filed in support of Plaintiffs' Motion for Entry of Default Judgment against Defendants Create New Technology (HK) Limited and Hua Yang International Technology Limited ("Motion for Default Judgment"). I have personal knowledge of the facts contained herein, and, if called upon as a witness, I could and would testify competently about these facts, except for those matters stated expressly upon information and belief, which matters are believed to be true.

2. On June 25, 2015, I issued a subpoena to DHL Express, requesting shipping records for Defendants. On June 25, 2015, I issued a subpoena to UPS, requesting shipping records for Defendants.

3. DHL and UPS subsequently produced voluminous records in response to these subpoenas. These original and voluminous records have been designated as Exhibits 14, 15 and 24. Given the size of these records, I and those working under my direction prepared summaries of these records for purposes of the Motion for Default Judgment. These summaries include Exhibits 17, 19, 20, 25, 27 and 28.

4. Both the original records and the summaries include street address information for various recipients of shipped TVpad devices that may include recipient home addresses requiring redaction under Local Rule. Plaintiffs redacted the possible recipient home addresses consistent with Local Rule and this Court's Order dated November 20, 2015, and have filed redacted versions of those Exhibits concurrent with this Application. However, Plaintiffs submit unredacted copies to the Court of these exhibits for under seal filing consistent with Local Rule.

